

STORMWATER OPERATIONS AND MAINTENANCE FORMS

San Luis Obispo County Department of Planning and Building

INSTRUCTIONS FOR RECORDING CONSTRUCTIVE NOTIFICATION

After determining a development is required to complete a Stormwater Control Plan (SWCP) with post construction Best Management Practices (BMPs) per Title 22.10.155 of the San Luis Obispo County Code, the applicant (land owner/developer) shall record a Constructive Notification for Private Stormwater Management System Operations and Maintenance with the San Luis Obispo County Clerk-Recorder's office. The constructive notification shall be recorded prior to occupancy.

The standard constructive notification and attachments can be obtained from the following locations:

- <http://www.slocounty.ca.gov/planning/formslibrary.htm>
- <http://www.slocounty.ca.gov/PW/DevServ/OnlineForms.htm>
- Public Works Reception (976 Osos Street, Room 207)
- Planning and Building Permit Center (976 Osos Street, Room 200)

The applicant shall fill out the constructive notification (per the instructions below) and submit to the County for review and approval. Following County approval, the applicant shall have the constructive notification notarized then filed with the County Clerk-Recorder. The property owner shall then complete annual self-inspections and submit to the Planning and Building Department.

OVERVIEW OF PROCEDURE

I. Complete Constructive Notification and Exhibits

The applicant shall fill out the three (3) part constructive notification prior to submitting for review and approval. (See DETAILED INSTRUCTIONS below for filling out the Constructive Notification, EXHIBIT A and EXHIBIT B forms.)

II. Submit the Constructive Notification & Exhibits to the Planning and Building Department

Upon completion of the draft constructive notification, the applicant shall submit a copy to the County for review and approval. The constructive notification shall be submitted to the following address (or submitted via email to the County contact person):

County of San Luis Obispo Planning and Building Department
County Government Center, Room 208
San Luis Obispo, CA 93408

III. Revise and Resubmit (if applicable)

The applicant shall make any necessary modifications to the constructive notification based on the County's review. The revised constructive notification shall then be resubmitted to the County.

IV. Notarize Constructive Notification

Following County approval (including County Representative signature on EXHIBIT A), the constructive notification shall be notarized.

The applicant shall retain a notary public to notarize the constructive notification. The applicant shall sign the constructive notification and the notary shall complete and sign the constructive notification.

V. Record Constructive Notification

Following notarizing, the constructive notification (and Exhibits) shall be recorded with the County Clerk Recorders office located at:

County of San Luis Obispo Clerk-Recorder's Office
1055 Monterey Street Room D120
San Luis Obispo, CA 93408-3237

The Clerk-Recorder will keep the document for processing and mail the original back to the Planning and Building Department. The applicant may purchase a copy of the constructive notification.

For additional information on recording documents and associated fees, visit the County Clerk- Recorder's website at <http://www.slocounty.ca.gov/clerk.htm>.

VI. Inspections

Annually, the current property owner (or representative) shall complete a self-inspection of the Project Stormwater Management System. EXHIBIT B of the recorded constructive notification shall be completed and submitted annually by June 15th to:

County of San Luis Obispo
Department of Planning and Building
Annual Reporting Requirements
976 Osos Street, Room 208,
San Luis Obispo, CA 93408

-or-

planning@co.slo.ca.us
Subject: Annual Reporting
Requirements

For questions please contact the Planning and Building Department at (805) 781-5600 or the Public Works Department at (805) 781-5252.

DETAILED INSTRUCTIONS

CONSTRUCTIVE NOTIFICATION

NOTE: The Condition Compliance Monitoring Number (CCM#) will be provided by the Planning and Building Department during review. The CCM# shall then be used on all annual correspondence the County.

The following information shall be completed:

- Property Address
- Property APN
- Permit/Project #
- Property Legal Description NOTE: The legal description is available in the property owner's title report.

See section IV above regarding Notarize Constructive Notification

EXHIBIT A - POST CONSTRUCTION STORMWATER MANAGEMENT SYSTEM OPERATIONS AND MAINTENANCE PLAN **PART 1A - GENERAL INFORMATION**

- 1 **Property APN(s):** If the project has a shared Stormwater Management System (i.e. HOA), insert all the Property APNs served by the SYSTEM. Highlight the Property APN which contains the shared Structural Stormwater Control Measures (SCMs), such as a basin.
- 2 **Project Address(es):** where the Structural Stormwater Control Measures (SCMs) to be maintained are located.
- 3-6 Self-explanatory
- 7-8 **Designer and Company/Firm:** Insert name of the original designer of the stormwater management system. In the case that the Designer is not longer available or practicing, the Company/Firm to which the designer worked will be considered responsible to supply information regarding the SYSTEM.
- 9-11 Self-explanatory
- 12 **Estimated Annual Cost for Maintenance Once Established (Attach Cost Estimate Spreadsheet):** Designer to provide an estimate of annual cost to owner for services to inspect, maintain, and report on SYSTEM per instructions provide in this Exhibit. (Consider line item for inflation.)
- 13 **Other Pertinent Info:** For example, is the SYSTEM shared? Specifics of how will it be managed.

PART 1B - STRUCTURAL CONTROL MEASURE (SCM) DETAILS

General: Data provided on these sheets should match information provided in the Stormwater Control Plan (SWCP) or other plans approved by the County of San Luis Obispo for the permitted project.

A Structural Control Measure (SCM) is defined by the RWQCB as: *Any structural facility designed and constructed to mitigate the adverse impacts of storm water and urban runoff pollution.*

Numbers for SCMs shall be assigned by the County of San Luis Obispo officials at approval of the project SWCP or other plan.

- 1 **Purpose(s) of SCM (check all that apply):** See County of San Luis Obispo Stormwater Management Requirements.
- 2 Self explanatory
- 3 **Description & Location of SCM (As necessary, refer to PART 2 – Drawings & Photos):** The most effective means to describe the location of SCMs on a project site is in reference to a Drawing. (See Part 2 explanation.) If there is a basin serving multiple properties on its own lot, note which properties (by APN) the SCM serves.
- 4 **Drainage Design Criteria:** Per approved SWCP or Drainage Plan.
- 5 **Design Details (as applicable):** Per approved SWCP or Drainage Plan. If it does not apply, write N/A.
- 6 Self-explanatory
- 7 **SCM Inspection & Maintenance Requirements:** These requirements will be based on the design life and considerations of the SCMs ability to meet requirements for water quality and/or flow control as set out by RWQCB and the County of San Luis Obispo.

Short Term Requirements include those things that will be required within a reporting year, i.e. clearing of debris, sediment or other obstructions to inlets.

Long-Term Requirements would be those things done on multiple-year schedule (2-year, 5 year, 10 year) to ensure the continual proper functioning of the SCM. For example, for a filter strip or biofiltration swale, include a plan ensuring the vegetation is healthy and method for replacement of plants (planting plan). For basins (infiltration or detention), provide a schedule for vegetation management and sediment removal. The replacement of inlet grates or other devices that could rust or degrade should be considered in this area, along with the design life.

PART 2 - DRAWINGS AND PHOTOS

The official documents related to the approved design of the Project's Stormwater Control Measure(s) (signed by the Engineer of Record) are required as a part of the Plan. If changes are made to the design of the SCM during construction, Record Drawings must be submitted. Include dated photos of the completed SCM with pertinent notes (i.e. direction from which the photo was taken.)

Reduced size Site and Drainage Plans and/or Details Sheets shall be provided. Any relevant details shall be copied at the original scale on 8.5x11 (for example, on an exhibit) for inclusion in the Plan. Ensure any exhibits include all the listed components.

PART 3 - CERTIFICATION AND APPROVAL

Along with the Owner and Designer, the designer or a 3rd party professional engineer, geologist, architect or landscape architect is required to field verify the Stormwater Control Measure(s) per RWQCB Resolution No. R3-2013-0032 Attachment 1, Section D. Field Verification of Post-Construction Stormwater Control Measures. Prior to the submittal of this Plan, it is recommended that the field verifier signatory and County official signatory visit the site together to inspect the SCMs, discuss the proposed plan and any potential issues prior to submittal.

EXHIBIT B - POST CONSTRUCTION STORMWATER MANAGEMENT SYSTEM OPERATIONS AND MAINTENANCE CHECKLIST TEMPLATE

General: The initial purpose of Exhibit B is to produce a template checklist which will be used for inspections and submitted to the County annually by June 15th. The approved template will be included in the recorded document, so consideration of checklist items that meet the short and long term maintenance requirements of the SCM is important. Since each SYSTEM design is different, it is the responsibility of the designer/engineer to advise the owner in completing the checklist, which must be approved by the County prior to recordation.

For this reason, the template can change in content to meet the particular SCM's maintenance needs. Two examples are included for a Biofiltration Area/Swale and Catch Basin(s).

Suggestions for Inspection Timing: Note that the official rainy season in California is October 15th – April 15th, so annual inspections of SYSTEMS would logically occur before October 15th to beat the possibility of a storm coming before any required maintenance is undertaken. Monthly inspections could be scheduled along with planned landscaping maintenance of the overall site, so the removal of vegetation debris or sediment could be done simultaneously. If the Project is a HOA-run development or similar, it will be beneficial to consider the project Operations & Maintenance schedule and add the SYSTEM maintenance therein.

Inspectors: It is required for a licensed Civil Engineer or Qualified SWPPP Practitioner (QSP) to sign off on the checklist annually. However, this does not prevent the signatory from delegating inspection responsibly to trained maintenance staff. All inspectors must be listed, and initialed to designate who did each inspection. However, the responsibility for certifying that the information provided is true & correct rests on the signatory.

Corrective Action/ Required Maintenance: Inspectors shall estimate how long it will take to rectify the situation in discussion with the owner, and re-inspect promptly. Any issues that are not addressed shall be recorded.

RECORDING REQUESTED BY:

WHEN RECORDED, PLEASE RETURN TO
County of San Luis Obispo Planning and Building Department
County Government Center, Room 208
San Luis Obispo, CA 93408
Ph: (805) 781-5600

NOTICE OF ADDITIONAL INFORMATION

CCM# _____ (for office use—staff to provide)

Property Address:

(Street No. & Street Name, City, State, Zip)

Property APN: _____ Permit/Project#: _____

Property Legal Description:

Owner of the aforesaid property does here by give

CONSTRUCTIVE NOTIFICATION

For Private Stormwater Management System Operations and Maintenance

The Applicant (Individual, Married Person, a HOA, A for Profit, or non-Profit Corporation), herein after referred to as “**OWNER**” of the real property referenced above, hereby required by existing County codes and regulations to utilize “on-site stormwater management systems (i.e. structural and/or non-structural) to minimize runoff and pollutants in runoff and to provide permanent storm drainage to control, manage, retain, treat, infiltrate and dispose of” (1) “on-site storm drainage for the Project” and (2) “ancillary street and site drainage from the adjoining street and sites” as stipulated in the approved project plans and contained within the required Stormwater Management System Operations & Maintenance Plan.

The Owner is solely responsible for the **Private Stormwater Management System**, hereinafter referred to as “**SYSTEM**” and attached as Exhibit “A”. The Owner agrees to the following conditions in compliance with all local, state, federal laws and regulations:

1. **MAINTENANCE:** OWNER shall maintain, monitor, inspect, clean and repair the SYSTEM as required in Exhibit “A” – Post Construction Stormwater Management System Operations & Maintenance Plan.
 2. **DOCUMENT & REPORT:** OWNER shall document all maintenance, monitoring, inspections, cleanings and repairs made to the SYSTEM in the annual report submitted to the County by June 15th of each year in the form as approved by the County as detailed in Exhibit “B” – Post Construction Stormwater Management System Operations & Maintenance Checklist.
 3. **COUNTY RIGHTS & AUTHORITY:** Pursuant to San Luis Obispo County Code Title 22.10.155, the County has the right and authority to inspect the SYSTEM to determine compliance with this constructive notification (i.e. maintenance, monitoring, inspections, cleanings, repairs, documentation and reporting) which may result in enforcement activities and/or abatement if necessary pursuant to existing and future laws and regulations.
1. **FAILURE TO MAINTAIN, MONITOR, INSPECT, CLEAN, REPAIR AND REPORT SYSTEM:** Failure to maintain, monitor, inspect, clean, repair, or document and report as required herein shall constitute a public

nuisance. The County may remedy such public nuisance through any of the applicable procedures as set forth in the County of San Luis Obispo Code, and/or may pursue any other legal or equitable remedies to abate such public nuisance.

5. **INDEMNIFICATION:** Owner further agrees to defend, indemnify, protect and hold the County and its agents, officers and employees harmless from and against any and all claims asserted or liability established for damages or injuries to any person or property, including to Owner's tenants, guests, invitees, agents or employees, which arise from or are connected with or caused or claimed by the acts or omissions of Owner, and its agents, employees or contractors, in performing the obligations specified herein, and all expenses of investigating and defending against same; provided, however, that Owner's duty to indemnify and hold harmless all not include any claims or liability arising from the established sole negligence or willful misconduct of the County, its agents, officers or employees.
6. **BINDING ON FUTURE OWNERS:** This covenant shall run with the land and shall be binding upon the undersigned owners, their heirs, executors, administrators, assigns and successors in interest.

OWNER(S) OF RECORD:

(Owner's Signature)

(Owner's Signature)

(Owner Print Name & Title)

(Owner Print Name & Title)

State of California
County of San Luis Obispo

On _____, 20____, before me, _____
and _____

_____, personally appeared before _____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signatures(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____(Seal), Notary Public

County of San Luis Obispo
For Private Stormwater Management System Operations and Maintenance
EXHIBIT A – Post Construction Stormwater Management System Operations & Maintenance
Plan

The 'Stormwater Management System Operations & Maintenance Plan' is to be filled out by landowner/designer and attached to the Constructive Notification for Private Stormwater Management System Operations and Maintenance upon recording. **NOTE: EXHIBIT B – 'Post Construction Stormwater Management System Operations & Maintenance Checklist' template is to be attached to the Constructive Notification. The approved and recorded template shall be filled out by the owner and submitted to the County by June 15th of each year.**

PART 1A – General Information

General Information		
1	Property APN(s):	
2	Project Address(es):	
3	Owner:	
4	Address:	
5	Phone:	
6	Email:	
Stormwater Management System Information		
7	Designer:	<input type="checkbox"/> CE <input type="checkbox"/> QSP <input type="checkbox"/> QSD <input type="checkbox"/> Other
8	Company/Firm:	
9	Address:	
10	Phone:	
11	Email:	
12	Estimated Annual Cost for Maintenance Once Established*:	
13	Other Pertinent Info:	

*Attach Cost Estimate Spreadsheet

PART 1B: STRUCTURAL CONTROL MEASURE (SCM) DETAILS

SCM#: _____

1. Purpose(s) of SCM (check all that apply):	<input type="checkbox"/> Water Treatment		<input type="checkbox"/> Runoff Retention		<input type="checkbox"/> Peak Management	
	<input type="checkbox"/> Retention/Infiltration Basin, Trench, or Swale		<input type="checkbox"/> Biofiltration Swale		<input type="checkbox"/> Water Quality Unit	
	<input type="checkbox"/> Subsurface Basin		<input type="checkbox"/> Catch Basin		<input type="checkbox"/> Proprietary Devices	
	<input type="checkbox"/> Detention Basin		<input type="checkbox"/> Filter Strip(s)		<input type="checkbox"/> Other: _____	
3. Description & Location of SCM (As necessary, refer to PART 2 – Drawings &	<input type="checkbox"/> Onsite <input type="checkbox"/> Offsite Description:					
4. Drainage Design Criteria:	Design Storm Flow (cfs):					
	Design Storm Capacity (ft ³):					
5. Design Details (As applicable):	Length (ft):		Surface Area (ft ²):			
	Width (ft):		Capacity/Volume (ft ³):			
	Depth (ft):		Vegetation Height (in):			
	Slope (ft/ft):		Design Life (yrs):			
6. SCM Product Specifications (attach applicable specification sheets):	Product Name:					
	Manufacturer/Model Number:					
	Number Installed:					
	Product Life:					
7. SCM Inspection & Maintenance Requirements:	Date of installation:					
	Short Term Required Maintenance (describe or attach plan):					
	Long Term Required Maintenance (describe or attach plan):					

Include additional pages for multiple SCMs as necessary.

Page ____ of ____

PART 2 – Drawings & Photos

In addition to the location description, provide a copy of record drawings* showing each Structural Control Measure. Provide a plan view showing SCM location(s) relative to the parcel property lines. Include any details of the SCM and any additional sheets, reduced site plans or dated post construction photos to clearly define the limits of the SCM(s).

Ensure the drawings include the following:

- | | |
|----------------------------------------------|------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> North Arrow | <input type="checkbox"/> Surface Area |
| <input type="checkbox"/> Scale or Dimensions | <input type="checkbox"/> Cross Section(s) |
| <input type="checkbox"/> Length/Width | <input type="checkbox"/> Unique Number for Each Structural Control Measure (SCM) as assigned by the County |
| <input type="checkbox"/> Volume Depth | |
| <input type="checkbox"/> Slopes | |

*Record Drawings are those approved by the Engineer of Record and County of San Luis Obispo which include any revisions to the design during construction/installation.

PART 3 – Certification and Approval

I certify the information provided in EXHIBIT A – Post Construction Stormwater Management System Operations & Maintenance Plan and EXHIBIT B – Post Construction Stormwater Management System Operations & Maintenance Checklist to be true and correct.

_____ Owner (Print Name)	_____ Signature	_____ Date
-----------------------------	--------------------	---------------

_____ Designer (Print Name)	_____ Signature	_____ Date
--------------------------------	--------------------	---------------

The Post Construction Stormwater Management System has been reviewed, field verified and approved by (professional engineer, geologist, architect or landscape architect) :

_____ Verifier (Print Name)	_____ License No.	_____ Signature	_____ Date
--------------------------------	----------------------	--------------------	---------------

The 'Post Construction Stormwater Management System Operations & Maintenance Plan' and 'Post Construction Stormwater Management System Operations & Maintenance Checklist' has been reviewed and approved by:

_____ County Representative (Print Name, Title)	_____ Signature	_____ Date
----------------------------------------------------	--------------------	---------------

EXAMPLE TEMPLATE

County of San Luis Obispo

For Private Stormwater Management System Operations and Maintenance

EXHIBIT B – Post Construction Stormwater Management System Operations & Maintenance Checklist

The following TEMPLATE shall be tailored to the Project SCMs and submitted with EXHIBIT A – Post Construction Stormwater Management System Operations & Maintenance Plan for approval. Remove all unnecessary text or instructions such as 'EXAMPLE' prior to submission. Contact the County for electronic forms.

Completed forms shall be submitted annually by June 15th to:

County of San Luis Obispo
Department of Planning and Building
976 Osos Street, Room 208,
San Luis Obispo, CA 93408

-or-

planning@co.slo.ca.us
Subject: Annual Reporting Requirements

General Information			
Property APN(s):			
Project Address(es):			
Owner:			
Address:			
Phone:		Email:	
Report Year:			
Inspector(s) (First & Last Name, Initials):			
Date of Inspection(s):			
SCM Number(s) Inspected:			

I certify the provided information to be true and correct and that the Structural Stormwater Control Measures (SCMs) on my property have been maintained, monitored, inspected, cleaned and repaired as required in EXHIBIT A – Post Construction Stormwater Management System Operations & Maintenance Plan.

Owner	Inspecting Party Representative <input type="checkbox"/> Licensed Civil Engineer or <input type="checkbox"/> QSP No. _____
Printed Name	Printed Name
Signature	Signature
Date	Date

During this reporting period (check all that apply):

- ☐ Completed inspections as required in EXHIBIT A – Post Construction Stormwater Management System Operations & Maintenance Plan
- ☐ Completed required short and long term maintenance as required in EXHIBIT A
- ☐ Completed corrective action(s) per the inspection (if applicable)
- ☐ Updated the EXHIBIT A - Post Construction Stormwater Management System O&M Plan to reflect revised site conditions. (Attach any updates.)
- ☐ No spills or system upsets occurred on site.
- ☐ Cleaned all spills promptly and reported the spill as required. *

*For all site spills, list spill date, content, volume and resolution:

[illegible]

Property APN: _____
____ of ____

SCM # _____

Page

EXAMPLE 1: Biofiltration Areas /Swales
Inspection and Maintenance Checklist

Inspected by (Print Name, Initials): <i>If multiple, list all.</i>		Report Year:	
Areas Inspected: (see SCM location map in Post Construction Stormwater Management System Operations & Maintenance Plan)		<i>If corrective action is required AND a re-inspection is warranted, indicate Re-check date:</i>	

Inspection frequency key: A = Annually on _____ (Specify Date, i.e. October 15th) of each year, M = Monthly, S = after major storm events

Inspection Items	Inspection Frequency	Date Inspected	Inspectors Initials	Maintenanc e Needed? (Yes/No)	Comments/Description
Is there standing water longer than 1 week after a storm event?	S				
Evidence of erosion?	S				
Vegetation appropriate and healthy?	A				
Area free of debris?	M				
Inlets free of obstructions?	M				
Is there obviously trapped sediment in need of removal (covers vegetation or greater than 3-inches at any spot)?	A				

Inspector comments: (Use additional sheets or back of this sheet if more room is necessary, include Inspector's initials.)

--

Overall condition of facility:

☐ Acceptable

☐ Unacceptable

Corrective Action Needed	Due Date

The next routine inspection is scheduled for approximately: _____

Property APN: _____
____ of ____

SCM # _____

Page

EXAMPLE 2: Catch Basin(s)
Inspection and Maintenance Checklist

Inspected by (Print Name, Initials): <i>If multiple, list all.</i>		Report Year:	
Areas Inspected: (see SCM location map in Post Construction Stormwater Management System Operations & Maintenance Plan)		<i>If corrective action is required AND a re-inspection is warranted, indicate Re-check date:</i>	

Inspection frequency key: A = Annually on _____ (Specify Date, i.e. October 15th) of each year, M = Monthly, S = after major storm events

Inspection Items	Inspection Frequency	Date Inspected	Inspector's Initials	Maintenance Needed? (Yes/No)	Comments/Description
Inlets free of obstructions?	A				
Basins free of obstructions, debris (vegetation)?	A				
Drainage area & slopes leading to catch basin free of sediment & debris?	A				
Is there obviously trapped sediment in need of removal (greater than 3 inches)?	A				

Inspector comments: (Use additional sheets or back of this sheet if more room is necessary, include Inspector's initials.)

--

Overall condition of facility:

☐ Acceptable

☐ Unacceptable

Corrective Action Needed	Due Date

The next routine inspection is scheduled for approximately: _____